Docket No. FE 6143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Dominic BERTA, et al.

Serial No.: 10/577,270 Group Art Unit: 1796

Filed: April 26, 2006 Examiner: J. S. LENIHAN

Title: POLYPROPYLENE COMPOSITION

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF UNDER 37 CFR 41.37

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to the Notification of Non-Compliant Appeal Brief (herein referred to as, "the Notice") mailed on October 7, 2009. The one-month period to respond is set to expire on November 9, 2009. As such, this response is timely filed. In particular, the Notice states that: (i) the brief does not contain a statement of the status of all the claims; and (ii) the brief does not contain an explanation of the subject matter of each independent claim, including the page and line number in the specification where the subject matter can be found.

With respect to the first issue, Applicant is submitting a brief herein that complies with 37 CFR 41.37(c)(1)(iii). As for the second issue, Applicant believes the brief filed on August 31, 2009 does comply with 37 CFR 41.37(c)(1)(v). In fact, on page 6, line 25

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- page 7, line 2, which is now page 7, lines 1-2 in the instant brief, Applicant's brief states, "See page 1, line 26 - page 2, line 22, and page 6, line 14 - page 8, line 2 in Applicant's specification." Accordingly, for the reasons outlined above, Applicant respectfully believes the brief submitted herein fully complies with 37 CFR 41.37.

Additionally, Applicant is resubmitting the entire brief due to In view of the forgoing, Applicant the change in pagination. respectfully believes the current rejections should be withdrawn, and the instant application should be allowed to proceed to grant.

Respectfully submitted

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on November 9, 2009.

JOLENE

Signature

Type or printed name of person signing this certificate